

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

HISCOX INSURANCE COMPANY INC.	)	
and HISCOX SYNDICATES LIMITED	)	
	)	Case No. 4:20-cv-00237-NKL
Plaintiffs,	)	
	)	
vs.	)	
	)	
WARDEN GRIER, LLP	)	
	)	
Defendant.	)	

**WARDEN GRIER, LLP'S PARTIAL MOTION TO DISMISS**

Pursuant to Fed. R. Civ. P. 12(b)(6), Warden Grier, LLP hereby moves this Court to dismiss Counts I, II, and III of Plaintiffs' Complaint because Hiscox Insurance Company Inc. and Hiscox Syndicates Limited (collectively, "Hiscox") have failed to state a claim upon which relief can be granted in Count I – Breach of Contract, Count II – Breach of Implied Contract, and Count III – Breach of Fiduciary Duty. The grounds which support this Motion are set forth in the Suggestions in Support of Warden Grier, LLP's Partial Motion to Dismiss filed herewith.

Dated: June 1, 2020

Respectfully submitted,

HORN AYLWARD & BANDY, LLC

/s/ Robert A. Horn

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### **CERTIFICATE OF SERVICE**

I hereby certify that on this 1st day of June 2020, I electronically filed the foregoing through the Court's CM/ECF system which will send notifications and service to all counsel of record.

/s/ Robert A. Horn

Attorney for Defendant Warden Grier LLP